



California Regional Water Quality Control Board

Lahontan Region



Linda S. Adams
Secretary for
Environmental Protection

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Arnold Schwarzenegger
Governor

OCT 14 2008

TO ALL INTERESTED PERSONS AND AGENCIES:

TENTATIVE RESCISSION ORDER FOR EAGLE LAKE ESTATES WASTE DISCHARGE REQUIREMENTS

Enclosed is the tentative rescission order for Eagle Lake Estates Waste Discharge Requirements and Monitoring and Reporting Program.

The Regional Board requests that you review the enclosed documents and provide us with your written comments no later than **November 17, 2008**. Comments received after that date cannot be given full consideration in preparation of the recommended Order to be presented to the Board for adoption. It is proposed to present these requirements to the Regional Board for adoption at the rescheduled meeting on January 14 and 15, 2009, in South Lake Tahoe.

In the instance that the Regional Board unintentionally omitted any entity or individual that you are aware of who would be interested in this item, please forward them this notice.

You may contact me at (530) 542-5464, or Alan Miller, Chief, North Basin Regulatory Unit at (530) 542-5430, if you should have any questions or wish to discuss the waste discharge requirements.

Sincerely,

Dale Payne
Environmental Scientist
North Basin Regulatory Unit

Enclosures

California Environmental Protection Agency



....NOTICE....

Submittal of Written Material for Regional Board Consideration

In order to ensure that the Water Board has the opportunity to fully study and consider written material, it is necessary to submit it at least ten (10) days before the meeting. This will allow distribution of material to the Board Members in advance of the meeting. Pursuant to Title 23 California Code of Regulations Section 648.4, the Water Board may refuse to admit written testimony into evidence unless the proponent can demonstrate why he or she was unable to submit the material on time or that compliance with the deadline would otherwise create a hardship. If any other party demonstrates prejudice resulting from admission of the written testimony, the Water Board may refuse to admit it.

A copy of the procedures governing Water Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq., and is available upon request. Hearings before the Regional Board are not conducted pursuant to Government Code Section 11500 et seq.

Complete Form and Return

TO: California Regional Water Quality Control Board, Lahontan Region

SUBJECT: Comments on Waste Discharge Requirements for
Limited Threat Discharges to Surface Waters.

- ☐ We concur with tentative requirements
☐ We concur; comments attached
☐ We do not concur; comments attached

(Sign)
(Type or print name)
(Organization)
(Address)
(City and State)
(Telephone)

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

BOARD ORDER NO. R6T-2008-(TENTATIVE)

RESCISSION OF WASTE DISCHARGE REQUIREMENTS

FOR

**EAGLE LAKE ESTATES, BOARD ORDER NO. 6-82-03
WDID NO. 6A188025005**

Lassen County

The California Regional Water Quality Control Board, Lahontan Region (Water Board) finds:

Eagle Lake Estates

On January 14, 1982, the Water Board adopted Board Order No. 6-82-03 prescribing Waste Discharge Requirements (WDRs) for Eagle Lake Estates (Site). The Site is located approximately 1.5 miles north of Buck's Bay at Eagle Lake. The Site was originally proposed to subdivide a 635-acre parcel into 35 residential parcels with a minimum of 20 acres per lot.

To date, development at the Site comprises only one structure, although the discharger (B.J. Pearson) has recently shown interest to move forward with construction of 24 residential parcels averaging 26.5 acres in size. The 1982 WDRs, while still applicable, are outdated with respect to current regulatory programs implemented by the Water Board.

Currently, the Water Board has evidence that the Basin Plan siting requirements of 20 acres as a minimum parcel size for new development at Eagle Lake will be met on the Project, based on the Initial Study and information in our files. We note that individual water wells are to be constructed on each lot by the applicant, but individual waste disposal systems will be the responsibility of future lot owners. There is no guarantee that all applicable Basin Plan siting criteria will be met on each lot, including sufficient soil depth, infiltration rates, and setback requirements from domestic water wells, fills, cuts and property lines. We state this in full recognition of the large parcel size because our staff's experience with this area is that the soils may be inadequate to find suitable areas for waste disposal on each proposed parcel.

In addition, future construction activities on parcels involving more than one acre of land disturbance are subject to federal Clean Water Act National Pollutant Discharge Elimination System (NPDES) permit requirements (General NPDES

Permit No. 99-08-DWQ). These NPDES permit requirements pertain to pollutant discharges in storm water associated with construction activity. The applicant must apply to the State Water Resources Control Board (State Board) for permit coverage. The State Board issues the permit and responsibility for oversight (inspections, document review, etc.) is undertaken by the Water Board until coverage is terminated by the Water Board.

The Memorandum of Understanding (MOU) between the Water Board and Lassen County (effective March 11, 1991) currently authorizes Lassen County to approve of onsite waste disposal systems that meet all applicable "siting" or "alternative system" criteria and requirements, including prohibitions concerning density, as stated in the 1995 Water Quality Control Plan for the Lahontan Region (Basin Plan).

There is no information that previous construction or use of the structure currently at the Site poses a threat to water quality or beneficial uses of water. However, rescinding this Order does not limit the Water Board's authority if new information indicates that pollution or water contamination from the Site has occurred due to former operations.

It is hereby ordered that the Board Order No. 6-82-03 be rescinded.

I, Harold J. Singer, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Lahontan Region, on January 15, 2009.

HAROLD J. SINGER
EXECUTIVE OFFICER